

AMENDED

Nº 44454

## APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

SEP 21 1981

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

JAN 15 1982

Corrected application filed.....

FEB 19 1982 under 44334

Map filed.....

The applicant BOARD OF NYE COUNTY COMMISSIONERS, acting as the BOARD OF TRUSTEES OF THE UNINCORPORATED TOWN OF TONOPAH, NYE COUNTY, NEVADA,

P.O. Box 153

Street and No. or P.O. Box No.

of Tonopah

City or Town

Nevada 89049

State and Zip Code No.

hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

Nye County, a political subdivision of the State of Nevada.

1. The source of the proposed appropriation is underground (Well #1)  
Name of stream, lake or other source.  
(Big Smoky Valley)

2. The amount of water applied for is 3 C.F.S. second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for municipal purposes  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 13, T. 3 N., R. 42 E., M.D.B.&M., whence the Southeast Corner of said  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
Section 13 bears S. 45°44'27" E., 3,937.07 feet distant.

6. Place of use S $\frac{1}{2}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, T. 3 N., R. 42 E., M.D.B.&M.;  
Describe by legal subdivision, if on unsurveyed land it should be so stated.  
Sections 25, 26 27, 35, 36, and the E $\frac{1}{2}$  E $\frac{1}{2}$  and a portion of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 28, the N $\frac{1}{2}$  N $\frac{1}{2}$  and portions of the S $\frac{1}{2}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 34, T. 3 N., R. 42 E., M.D.B.&M.; and Sections 1 and 2 of T. 2 N., R. 42 E., M.D.B.&M.; and Sections 30 and 31 of T. 3 N., R. 43 E., M.D.B.&M.

7. Use will begin about January 1 and end about December 31, of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) It is proposed to drill, case, and equip an underground well for municipal use.  
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$100,000.00
10. Estimated time required to construct works.....one (1) year  
If well completed, describe works.
11. Estimated time required to complete the application to beneficial use.....two (2) years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This proposed source of water, if developed, is intended through the present and future updated water supply system to serve an estimated equivalent population of 10,000 people.

Pro. 4/5/82 by Joseph Ferrari  
Pro. overruled. See Ruling #2811  
dated 6/24/83.

Compared.....js/bc.....br/ja

By.....s/Wallace T. Boundy  
Wallace T. Boundy, Notary Public  
Nye County Surveyor  
P.O. Box 242  
Tonopah, Nevada 89049

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under this permit and Permit 44453 shall not exceed 707.7 million gallons annually.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....3.0.....cubic feet per second, but not to exceed 707.7 million gallons annually.

Actual construction work shall begin on or before.....N/A

Proof of commencement of work shall be filed before.....N/A

Work must be prosecuted with reasonable diligence and be completed on or before.....October 30, 1983

Proof of completion of work shall be filed before.....November 30, 1983

Application of water to beneficial use shall be made on or before.....October 30, 1985

Proof of the application of water to beneficial use shall be filed on or before.....November 30, 1985

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....

Completion of work filed.....JUN 13 1985

Proof of beneficial use filed.....DEC 22 1986

Cultural map filed.....

Certificate No. 11289 Issued MAR 25 1987

IN TESTIMONY WHEREOF, I.....PETER G. MORROS

State Engineer of Nevada, have hereunto set my hand and the seal of

my office this.....27th.....day of.....JUNE

A.D. 19.....83

State Engineer